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Attorney's Docket No. 031221-042
JAN 16 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TC 1700 MAIL ROOM

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In re Patent Application of

E. Tokas et al.

Application No.: 09/209,706

Filed: December 11, 1998

For: Contact Metathesis Polymerization



Group Art Unit: 1733

Examiner: G. KNABLE

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DECLARATION UNDER 37 C.F.R. § 1.131

Assistant Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

We, Edward F. Tokas and Ken C. Caster, declare that:

1. We are the inventors of the subject matter disclosed and claimed in the above-referenced patent application.

2. We are familiar with the articles by Weck et al. and Bartz et al. cited in Office Action of September 12, 2000, and cited on Form PTO-1449, filed December 11, 1998, and listed thereon as Bartz et al., Colloid-Bound Catalysts for Ring-Opening Metathesis Polymerization: A Combination of Homogenous and Heterogeneous Properties, Angew. Chem. Int. Ed., Vol. 37, Issue 18, p. 2466 (September 1998) and Weck, et al., Ring-Opening Metathesis Polymerization from Surfaces (Aug. 1998). As shown in Exhibit A, the Weck et al. article was received at the University of Maryland library on July 29, 1998. As shown in Exhibit B, the Bartz et al. article is dated October 2, 1998 and was received at the National Institutes of Health library on October 16, 1998. Since the present application was filed December 11, 1998, neither of these references were published more than one year prior to the filing date of this application, and accordingly, this Declaration is appropriate under 37 C.F.R. § 1.131 with respect to these publications.

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3. The claimed invention was reduced to practice in the United States prior to July 29, 1998, the earliest publication date of either of the Bartz et al. and Weck et al. articles. Exhibit C is a redacted copy of the notebook page detailing the reduction to practice of the invention. The notebook page is dated prior to July 29, 1998, and contains an example of the invention claimed in the above-identified patent application. Specifically, the method for providing a coating on a substrate surface as set forth in the claims of the present application is described.

4. We hereby declare that all statements made herein of our own knowledge are true and that all statements made upon information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment, or both, under 18 United States Code section 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Edward F. Tokas



Ken C. Caster

Date: Dec. 6, 2000 (KCC)